The Code of Criminal Procedure (Amendment) Bill, 1994 which was intorduced in the Rajya Sabha is based on the recommendations made by the Law Commission, National Police Commission and other agencies. The thrust areas of the Bill are:—

(i) Toning up the investigative machinery and process;

(ii) Strengthening the prosecution and related machinery;

(III) Streamlining and improving procedures, especially from the point of view of expediting trial court procedures;

(iv) Tackling the problem of undertrials and matters connected with the grant of bail; and

(v) Effecting miscellaneous improvements.

The Criminal Law (Amendment) Bill, 2003, intorduced in the Rajya Sabha on 22nd August, 2003, has important proposals to provide punishment to those who threaten to give false evidence, introduction of the concept of plea bargaining, making the offence at Section 498A IPC of the Indian Penal Code, 1860 compoundable etc.

Apart from the above, the Malimath Committee on Reforms of Criminal Justice System in its report has recommended various changes to the Code of Criminal Procedure, 1973, the Indian Penal Code, 1860 and other laws. The Crimanl Law and the Criminal Procedure are in the Concurrent List of the Seventh Schedule to the Constitution of India and they are administered by the State Governments. Therefore, before effecting major changes in these laws, consultations with State Governments are essential. Accordingly, the Report of the Malimath Committee was forwarded to the State Governments for their views. So far, views of eleven (11) State Governments and four (4) Union Territory Administrations have been received.

Separate Ministry for handling disaster-management

3608. SHRIMATI BIMBA RAIKAR: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether the recent Tsunami disaster has exposed the nation's total unpreparedness and inability on disaster management;

(b) whether India with a long coastline and vast area with pockets prone to earth-quake needs to have a separate ministry to look after disaster

management functions replacing the present un-coordinated efforts of many ministries (Defence, Home, Health and Family Welfare; and

(c) if so, Government's reaction thereto?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI S. REGUPATHY): (a) The Tsunami had hit the coastal areas of Tamil Nadu, Kerala, Andhra Pradesh, Pondicherry and Andman & Nicobar Islands on 26th December, 2004 for the first time in India. Despite this, the Government effectively responded to it by quickly mobilizing its resources. A Tsunami early warning system is being put in place. The Government has undertaken several mitigation and preparedness measures to enhance the capabilities for emergency response to deal more effectively with natural calamities.

(b) and (c) Disaster management mandates a multi-disciplinary and multisectoral approach and calls for coordinated action drawing upon the resources and skills of various Ministries/Departments/Organizations and other stakeholders at Central, State and District level in their respective areas of responsibility. The nodal responsibility for monitoring and coordinating response rests with the Ministry of Home Affairs. The Government has also decided to set up a National Disaster Management Authority and enact a central law on disaster manangement for putting in place institutional and coordination mechanism for responding to disasters more effectively. There is no proposal to set up a separate Ministry of Disaster Management at present.

National Emergency Managemement Authority (NEMA)

3609. SHRI K. B. KRISHNA MURTHY:
SHRI HARISH RAWAT:
SHRI SANTOSH BAGRODIA:
SHRIMATI AMBIKA SONI:

Will the Minister of HOME AFFAIRS be pleased to state:

(a) what are the reasons for not setting up a National Emergency Management Authority (NEMA) and building up specialized capabilities for rapid intervention in cases of disasters;

(b) the measures taken/ proposed to be taken to combat disasters in the absence of NEMA; and

(c) the details of the disasters faced by the country during the last three years together with details of loss of lives and property?